

Adam D. Brumm, Esq. SB#257906  
Eden Environmental Defenders  
1520 E. Covell Blvd, Suite B5-611  
Davis, CA 95616  
Telephone: (800) 545-7215, Extension 906  
Email: [adam@edendefenders.org](mailto:adam@edendefenders.org)

Attorneys for Plaintiff  
CENTRAL VALLEY EDEN ENVIRONMENTAL DEFENDERS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CENTRAL VALLEY EDEN  
ENVIRONMENTAL DEFENDERS, LLC, a  
California limited liability company,  
Plaintiff,

vs.

FRESNO FAB-TECH, INC., a California  
corporation; and DOES 1-10, inclusive,  
Defendants.

Case No.: 1:22-CV-01535-SKO

**JOINT NOTICE OF SETTLEMENT and  
STIPULATION TO VACATE ALL  
COURT DATES; [PROPOSED] ORDER**

Plaintiff Central Valley Eden Environmental Defenders, LLC (“Plaintiff”) and Defendant  
FRESNO FAB-TECH, INC. (“Defendant”) hereby submit this Joint Notice of Settlement and  
[Proposed] Order vacating all trial dates.

WHEREAS, on June 8, 2022, Plaintiff provided Defendant with a Notice of Violations  
and Intent to File Suit (“Notice”) under Clean Water Act Sections 1251 et seq.

WHEREAS, on November 29, 2022, EDEN filed its Complaint against Defendant in this  
Court, which incorporates by reference the allegations contained in Plaintiff’s Notice.

WHEREAS, Plaintiff and Defendant (the “Settling Parties”), through their authorized  
representatives and without either adjudication of Plaintiff’s claims or admission by Defendant  
of any alleged violation or other wrongdoing, have chosen to resolve in full by way of settlement

the allegations of Plaintiff as set forth in the Notice and Complaint, thereby avoiding the costs and uncertainties of further litigation.

WHEREAS, once the Settlement Agreement is finalized, the Settling Parties will submit their Settlement Agreement to the U.S. Environmental Protection Agency and the U.S. Department of Justice (the “federal agencies”) for a mandatory 45-day statutory review period, consistent with 33 U.S.C. Section 1365(c) and 40 C.F.R. Section 135.5.

On the expiration of the federal agencies’ review period, and if there is no objection lodged by the federal agencies, the Settling Parties will stipulate to and request an order from this Court dismissing with prejudice Plaintiff’s claims as to Defendant, as set forth in the Notice and Complaint.

Consequently, the Settling Parties submit that good cause exists to vacate any and all existing deadlines and obligations in this case, including responsive pleadings, and to set May 1, 2024, as the deadline for the filing of the Settling Parties’ aforementioned stipulation and proposed order, or a Notice that the settlement will not proceed with proposed new case-related deadlines.

Dated: March 1, 2024

Respectfully,

By: /S/ Adam D. Brumm  
Adam D. Brumm  
Attorney for Plaintiff

Dated: March 1, 2024

Respectfully,

By: /S/ Richard Harris  
Richard Harris  
Attorney for Defendant

**[PROPOSED] ORDER**

Good cause appearing, IT IS HEREBY ORDERED that any and all existing deadlines and obligations in this case, including case management dates, are vacated, and by May 1, 2024, Plaintiff CENTRAL VALLEY EDEN ENVIRONMENTAL DEFENDERS, LLC, and Defendant FRESNO FAB-TECH, INC. are to file a stipulation to dismiss this matter with prejudice and proposed order, or a Notice that the settlement will not proceed, with proposed new case-related deadlines.

IT IS SO ORDERED.

Dated: \_\_\_\_\_, 2024

By: \_\_\_\_\_  
Honorable Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE